

**DEPARTMENT OF EDUCATION**  
**SPECIAL EDUCATION PROGRAMS**  
**Waubay School District**  
**Accountability Review - Monitoring Report 2012-2013**

**Team Members:** Joan Ray, Diane Reyelts, Educational Specialists, and Cindy Kirschman, Transition Liaison

**Dates of On Site Visit:** October 4, 2012

**Date of Report:** October 25, (revised)

**All non-compliance must be corrected within 1 year of this report date.**

**Date Closed:**

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**Program monitoring and evaluation.**

In conjunction with its general supervisory responsibility under the Individuals with Disabilities Education Act, Part B, Special Education Programs (SEP) of the Division of Educational Services and Support shall monitor agencies, institutions, and organizations responsible for carrying out special education programs in the state, including any obligations imposed on those agencies, institutions, and organizations. The department shall ensure:

- (1) That the requirements of this article are carried out;
- (2) That each educational program for children with disabilities administered within the state, including each program administered by any other state or local agency, but not including elementary schools and secondary schools for Native American children operated or funded by the Secretary of the Interior:
  - (a) Is under the general supervision of the persons responsible for educational programs for children with disabilities in the department; and
  - (b) Meets the educational standards of the state education agency, including the requirements of this article; and
- (3) In carrying out this article with respect to homeless children, the requirements of the McKinney-Vento Homeless Assistance Act, as amended to January 1, 2007, are met. (Reference- ARSD 24:05:20:18.)

**State monitoring--Quantifiable indicators and priority areas.**

The department shall monitor school districts using quantifiable indicators in each of the following priority areas, and using such qualitative indicators as are needed to adequately measure performance in those areas:

- (1) Provision of Free Appropriate Public Education (FAPE) in the least restrictive environment;
- (2) Department exercise of general supervision, including child find, effective monitoring, the use of resolution meetings, mediation, and a system of transition services as defined in this article and article 24:14; and
- (3) Disproportionate representation of racial and ethnic groups in special education and related services, to the extent the representation is the result of inappropriate identification. (Reference-ARSD 24:05:20:18:02.)

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**State enforcement -- Determinations.**

On an annual basis, based on local district performance data, information obtained through monitoring visits, and other information available, the department shall determine whether each school district meets the requirements and purposes of Part B of the IDEA...

Based upon the information obtained through monitoring visits, and any other public information made available, Special Education Programs of the Division of Educational Services and Support determines if the agency, institution, or organization responsible for carrying out special education programs in the state:

- Meets the requirements and purposes of Part B of the Act;
- Needs assistance in implementing the requirements of Part B of the Act'
- Needs intervention in implementing the requirements of Part B of the Act; or
- Needs substantial intervention in implementing the requirements of Part B of the Act. (Reference-ARSD 24:05:20:23.04.)

**Deficiency correction procedures.**

The department shall require local education agencies to correct deficiencies in program operations that are identified through monitoring as soon as possible, but not later than one year from written identification of the deficiency. The department shall order agencies to take corrective actions and to submit a plan for achieving and documenting full compliance. (Reference-ARSD 24:05:20:20.)

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**GENERAL SUPERVISION / STATE PERFORMANCE PLAN COMPLIANCE INDICATOR**

**ARSD 24:05:25:16.01. Participation of student in IEP team meeting.** If a purpose of the IEP team meeting is the consideration of postsecondary goals and transition services for a student, and if the meeting is for a child with a disability beginning not later than the first IEP to be in effect when the child turns 16, or younger if determined appropriate by the IEP team, the notice also must: (1) Indicate that a purpose of the meeting is the consideration of the postsecondary goals and transition services for the student; (2) Indicate that the district will invite the student; and (3) To the extent appropriate, with the consent of the parents or a student who has reached the age of majority, identify any other agency that is likely to be responsible for providing or paying for transition services and that will be invited to send a representative. Parental consent, or the consent of an eligible student who has reached the age of majority under state law, must be obtained before personally identifiable information is released to officials of participating agencies providing or paying for transition services.

**Corrective Action:**

Through a review of student files and data gathered by the team, it was noted consent was not obtained from the parents/adult student to invite an outside agency to the IEP meeting.

| <b>Student:</b>  | <b>Required Action:</b>  | <b>Data To Be Submitted for Prong 1:</b>  | <b>Data To Be Submitted for Prong 2:</b>  |
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| Student # 10 - No consent was acquired to invite an outside agency prior to being invited to the students' IEP meeting | Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.<br><b>Activity/Procedure:</b><br>The district is required to gather consent from parents or student prior to inviting the outside agency to the IEP meeting. The district must develop procedures to ensure consent is received prior to inviting an outside agency to the student's IEP meeting. | The district will collect and submit to SEP the following data:<br>1. The district must submit procedures to be used to acquire consent prior to inviting an outside agency to the student's IEP meeting. | The district will collect and submit to SEP the following data:<br>1. Consent to invite agency to transition meeting<br>2. Meeting Notice<br>3. Copy of IEP |
|  |  | <b>Timeline for Completion:</b><br><b>February 1, 2012</b>  | <b>Timeline for Completion:</b><br><b>May 10, 2013</b>  |

**ARSD 24:05:27:01.03. Content of individualized education program.** Each student's individualized education program shall include:

(3) A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided to enable the student:

(a) To advance appropriately toward attaining the annual goals;

(b) To be involved and make progress in the general education curriculum in accordance with this section and to participate in extracurricular and other nonacademic activities; and

© To be educated and participate with other students with disabilities and nondisabled students in the activities described in this section;

**Corrective Action:**

| Through a review of student records the monitoring team noted the amount of time to be committed to specific services was not documented in the students IEP. |   |  |  |
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| <b>Student:</b>   | <b>Required Action:</b>   | <b>Data To Be Submitted for Prong 1:</b>   | <b>Data To Be Submitted for Prong 2:</b>   |
| Student # 2 & 3 - Services need to be broken out to describe the specific service reflecting each area of eligibility   | Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.<br><b>Activity/Procedure:</b><br>The IEP is to meet and amend the special education services to be provided in this student IEP and specifically address the specialized instruction needed. | The district will collect and submit to SEP the following data:<br>1. Meeting notice to amend the IEP<br>2. A copy of the IEP amendment that describes the special education service to be provided to the student | The district will collect and submit to SEP the following data:<br>1. Prior notice consent for evaluation<br>2. Copies of all evaluation reports<br>3. Meeting notice<br>4. Eligibility document<br>5. New IEP |
|   |   | <b>Timeline for Completion:</b><br><b>February 1, 2012</b>   | <b>Timeline for Completion:</b><br><b>May 10, 2013</b>   |

**24:05:17:03. Annual report of children served.** In its annual report of children served, the department shall indicate the number of children with disabilities receiving special education and related services on December 1 of that school year; For the purpose of this section, a child's age is the child's actual age on the date of the child count, December 1.

The department may not report a child under more than one disability category.

**Corrective Action:**

| The student was reported on child count under the disability categories of Specific Learning Disability (525). The December 1, 2011 child count did not report accurate information on eligible children to the Office of Data Collection. |   |  |   |
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| <b>Student:</b>  | <b>Required Action:</b>   | <b>Data To Be Submitted for Prong 1:</b>   | <b>Data To Be Submitted for Prong 2:</b>  |
| Student #  | Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.<br><b>Activity/Procedure:</b><br>The district must develop child count procedures to assure accurate child | The district will collect and submit to SEP the following data:<br>1. A copy of the procedures | The district will collect and submit to SEP the following data:<br>1) The district must |

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|  | count information is submitted to the Office of Data Collection. | must be submitted to SEP by December 1, 2012.              | submit the IEP cover page for all students on their December 1, 2012 child count. |
|  |  | <b>Timeline for Completion:</b><br><b>December 1, 2012</b> | <b>Timeline for Completion:</b><br><b>January 15, 2013</b>                        |

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| <b><u>Prong 1:</u></b> Data submitted will be used to verify correction of each individual case of noncompliance.   |
| <b><u>Prong 2:</u></b> Correctly implement the specific regulatory requirements (i.e. achieved 100% compliance), based on the SEA's review of <u>updated data</u> .<br>Verification of correctly implemented policy/procedure/practice identified in Prong 1. |
| <b>Target Date for Completion:</b>  |
| <b>Date - Status Report:</b>  |
| <b><u>Prong 1:</u></b> Data submitted will be used to verify correction of each individual case of noncompliance.   |

### **State Performance Plan – Performance Indicators**

#### **Indicator 3 – Participation/Performance on Assessment**

A-Percent of districts meeting the State's AYP objectives for progress for disability subgroup

B -Participation rate for children with IEP's in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards.

C-Proficiency rate for children with IEP's against grade level standards and alternate achievement standards.

#### **3B**

State Target: 99.3 % or higher

District %: 100%

District Response: The district did meet this target with 100% participation. This is an indicator they are most proud of. They know their kids. They work with the on a one to one basis. They understand the families and work with them very closely. The staff knows the importance of the testing and impress upon the students and family to be here during the testing time.

### 3C

State Target: 76% or higher

District %: Reading – 45.45% Math – 54.55%

District Response: The district did not meet this target and chose this area to work on. They will continue to strive for greater proficiency through the use of up to date teacher training, using best practice in the classrooms, and in one on one student to teacher teaching. Teachers and administration will aggressively study and support the use of data driven and proven teaching materials and techniques. Waubay is dedicated to the use of a wide variety of technology in teaching and learning, giving each student the opportunity to learn in an individual style and the way that is best for that individual.